



RCE/1631 \$

PTO/SB/30 (5/2000)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995, See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/097,791
Filing Date	June 16, 1998
First Named Inventor	Boyce-Jacino, et al. #19
Group Art Unit	1631 Plunkett
Examiner Name	Marschel, A. 6/19/01
Attorney Docket Number	13065

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changed to Application Examination and Provisional Application Practice, Interim Rule*.

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1. **Submission required under 37 C.F.R. § 1.114.**
 - a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Marked Up Claims: Sequence Lst: Ext of Time
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
 - b. Other
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0171
 - i. RCE fee required under 37 C.F.R. § 1.17(e) 06/19/2001 GTEFFERA 00000037 09097791
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:179 710.00 OP
 - iii. Other 02 FC:103 126.00 OP
 - b. Check in the amount of \$ 1,726.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	SCOTT D. LOCKE	Registration No. (Attorney / Agent)	44,877
Signature		Date	6/14/01

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print / Type)	JENNA MARINO
Signature	
Date	6/14/01

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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUN 18 2001

Applicants: Boyce-Jacino et al.

Examiner: Marschel, A.

Serial No.: 09/097,791

Art Unit: 1631

Filed: June 16, 1998

Docket No.: 13065

Title: POLYMERASE SIGNALING ASSAY

#201B
Kalow & Springut LLP
488 Madison Avenue, 19th Floor
New York, New York 10022
Plunkett
6/19/01

June 14, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

**AMENDMENT AND REPLY TO ACCOMPANY REQUEST FOR
CONTINUED EXAMINATION**

Sir:

This is an amendment and reply to the Final Office Action dated December 15, 2000 and issued in connection with the above-referenced application. A Request for Continued Examination is being submitted with this Amendment. A Petition for a Three-Month Extension of Time is also being submitted with this amendment with a fee pursuant to 37 CFR 1.17(a)(3).

Certificate of Mailing Under 37 CFR 1.8

I hereby declare that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

6/14/01
Date

Jenna Marino
Jenna Marino